Proposed Development Conditions

SE 2014-MV-008

June 24, 2014

If it is the intent of the Board of Supervisors to approve SE 2014-MV-008 located at 8018 Diving Cliff Lane, Tax Map 98-1((4)) 10, for a home child care facility of up to twelve children, pursuant to Sect. 6-105 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.

2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special exception plat approved with the application, as qualified by these development conditions.

3. Any plan or permit submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception Plat, consisting of an annotated copy, dated January 28, 2014, of the House Location Survey entitled "Lot 10, Section One, Newington Forest" prepared by Sam Watson, L.S. / Land Surveying and dated December 3, 2010 as revised through January 3, 2011, and these conditions. Minor modifications to the approved special exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.

4. A copy of the special exception conditions shall be posted in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

5. Excluding the provider's own children, the maximum number of children on-site at any one time shall not exceed twelve.

6. The hours of operation for the home child care facility shall not exceed 7:00 a.m. to 6:00 p.m.

7. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, with the hours of such attendance limited to 7:00 a.m. to 6:00 p.m.

8. The dwelling that contains the home child care facility shall be the primary residence of the provider.

9. The existing two-car garage shall not be converted to any use which would preclude the parking of vehicles, and shall be kept clear of debris at all times in order to accommodate parking for the dwelling and the home child care provider.

10. There shall be no signage associated with the home child care facility.

11. All outdoor play equipment shall conform to all applicable state regulations and standards.

12. All pick-up and drop-off of children shall take place in the driveway.

13. The kitchen located in the basement shall only be used for the home child care facility. If the home child care facility is discontinued or the single family dwelling is rented or sold, an approved County demolition permit shall be obtained and this kitchen shall be demolished, unless the kitchen is otherwise brought into compliance with the Zoning Ordinance.

14. A point of egress, which meets emergency escape and rescue openings requirements of the 2009 Virginia Residential Building Code, shall be installed in the sleeping room, as labeled "Existing Baby Room" on the basement floor plan in Appendix 3. This egress shall be installed within 90 days of the approval of the special exception.

15. All applicable permits and inspections shall be obtained prior to establishment of the use, to be demonstrated to the satisfaction of the Zoning Administration Division, including any electrical or plumbing inspections as may be required.

The above proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by the Board.

This approval, contingent on the above noted conditions, shall not relieve the application from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect. 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above.